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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/690,612	10/23/2003	Rod R. Auletta	22491.00	5911
37833	7590	02/24/2006	EXAMINER	
LITMAN LAW OFFICES, LTD PO BOX 15035 CRYSTAL CITY STATION ARLINGTON, VA 22215			AIRAPETIAN, MILA	
			ART UNIT	PAPER NUMBER
			3625	

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,612

Applicant(s)

AULETTA, ROD R.

Examiner

Mila Airapetian

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/23/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-11, 13-15, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Robertson (US 6,609,106) in view of Barnett et al. (hereinafter Barnett) (US 2002/0154178).

Claim 1.

Robertson teaches a system for providing electronic multi-merchant gift registry services over a distributed network comprising:

at least one server computer having an interface for communication over a computer network, the server computer having a processor and a memory, the server further having computer software stored in the memory and executing under the direction of the processor (col. 11, lines 44-45; col. 27, lines 21-26), the computer software including:

means for publishing web pages on the network (col. 9, lines 6-10);

means for identifying individuals who have access to the service (col. 9, lines 60-64);

means for publishing event data describing an event for gift giving (col. 3, lines 19-20);

means for receiving and storing in the memory gift data entered by users describing a gift associated with a particular event (col. 2, lines 55-57, col. 28, lines 5-8);

means for storing and publishing gift list data listing all gift ideas posted on a user's gift list (col. 1, lines 13-15); Fig. 4 (138)); and

means for storing and publishing group data which identifies user created groups and group members in each group (Fig. 21, col. 20, line 58).

However, Robertson does not teach means for publishing and maintaining calendar data identifying events for display on a user's calendar.

Barnett teaches a multi-layered online calendaring including means for publishing and maintaining calendar data identifying events for display on a user's calendar [0020].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robertson to include means for publishing and maintaining calendar data identifying events for display on a user's calendar, as disclosed in Barnett, because it would provide a higher level of flexibility in the way events can be imported and viewed [0015].

Claim 2. Robertson teaches all the limitations of claim 2 except said member data further comprises special member data identifying individuals without access to the service, but for whom gift lists may be generated.

Barnet teaches a multi-layered online calendaring including special member data identifying individuals without access to the service, but for whom gift lists may be generated [0089].

The motivation to combine Robertson and Barnett would be to would provide a higher level of flexibility in the way events can be imported and viewed [0015].

Claim 3. Robertson teaches a system for providing electronic multi-merchant gift registry services over a distributed network comprising:

at least one server computer connected to a computer network; software means residing on and operable on the server computer for publishing a plurality of web pages on the computer network (col. 11, lines 44-45; col. 27, lines 21-26), the web pages including:

link means for linking a user to online gift retailer websites for purchasing gifts (col. 3, lines 19-20, col. 9, lines 6-10);

gift list means for posting gift ideas to at least one dynamically created gift list associated with an event posted to the calendar (col. 2, lines 55-57, col. 28, lines 5-8);

status means for permitting gift buyers access to the gift list and to annotate a gift on the list as already purchased or reserved for purchase by the gift buyer (col. 16, lines 6-10).

However, Robertson does not teach:

calendar means for posting gift-giving events to a calendar accessible to a plurality of users; and

group means for forming a password protected group, access to the link means, calendar means, gift list means, and status means being restricted to a member of the group.

Barnett teaches a multi-layered online calendaring including calendar means for posting gift-giving events to a calendar accessible to a plurality of users [0020]; and

group means for forming a password protected group, access to the link means, calendar means, gift list means, and status means being restricted to a member of the group [0089].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robertson to include calendar means for posting gift-giving events to a calendar accessible to a plurality of users and group means for

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forming a password protected group, access to the link means, calendar means, gift list means, and status means being restricted to a member of the group, as disclosed in Barnett, because it would provide a higher level of flexibility in the way event's can be imported and viewed [0015].

Claim 4. Robertson teaches all the limitations of claim 4 except that said web pages further include: means for restricting viewing of events posted to the calendar to selected users and groups; and means for viewing a list of all current events and the gift lists associated with the events.

Barnett teaches a multi-layered online calendaring including means for restricting viewing of events posted to the calendar to selected users and groups [0089]; and means for viewing a list of all current events and the gift lists associated with the events [0020].

The motivation to combine Robertson and Barnett would be to allow a user to select categories of event that are of interest, and add selected events from those categories to his or her personal calendar (Barnett, [0016]).

Claim 5. Robertson teaches said system wherein said web pages further include means for permitting group members to communicate with one another through a secure chat room accessible only to members of that particular group (col. 21, line 13).

Claim 6. Robertson teaches said system wherein said web pages further include means for notifying members of upcoming calendared events (Abstract, col. 9, lines 29-33).

Claim 7. Robertson teaches said system wherein said web pages further include means for permitting user profile information to be viewed by any other user (col. 20, line 21).

Claim 8. Robertson teaches said system wherein said web pages further include means for joining multiple groups and switching between different groups (col. 3, lines 60-61).

Claim 9. Robertson teaches said system wherein said web pages further include means for designating special members for whom gift lists may be generated, the special members being without independent access to the system (col. 2, lines 12-13).

Claim 10. Robertson teaches said system wherein said web pages further include means for linking at least two of the gift lists (Fig. 27; col. 5, lines 17-19).

Claim 11. Robertson teaches said system wherein said web pages further include means for importing the gift list from another group (col. 16, lines 55-56).

Claim 13. Robertson teaches all the limitations of claim 13 except that said web pages further include means for restricting viewing of events posted to the calendar to selected users and groups.

Barnett teaches a multi-layered online calendaring including means for restricting viewing of events posted to the calendar to selected users and groups [0089].

The motivation to combine Robertson and Barnett would be to would provide a higher level of flexibility in the way events can be imported and viewed [0015].

Claim 14. Robertson teaches a system for providing electronic multi-merchant gift registry services over a distributed network comprising:

publishing a website on a computer network (col. 9, lines 6-10);

recording a gift-giving event on the calendar (col. 3, lines 19-20); and

associating a gift list created by one of the members of the group with the gift-giving event, the gift list being editable by the members of the group (col. 2, lines 55-57, col. 28, lines 5-8).

However, Robertson does not teach:

establishing a password protected gift registry area on the website for members of a group;

providing a calendar in the gift registry area.

Barnett teaches a multi-layered online calendaring and purchasing including:

establishing a password protected gift registry area on the website for members of a group [0089];

providing a calendar in the gift registry area [0020].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robertson to include establishing a password protected gift registry area on the website for members of a group and providing a calendar in the gift registry area, as disclosed in Barnett, because it would provide a higher level of flexibility in the way event's can be imported and viewed [0015].

Claim 15. Robertson teaches said method further comprising the step of publishing a hyperlink to an online gift retailer marketing a gift recorded on the gift list col. 17, lines 1-2).

Claim 17. Robertson teaches said method further comprising the steps of: providing an electronic message center on the website for exchanging electronic messages between the members of the group (col. 21, line 13); and generating an electronic mail message reminder on the electronic message center of an upcoming gift-giving event (col. 9, lines 29-33).

Claim 18. Robertson teaches all the limitations of claim 18 except restricting access of a member of the group to the gift list when the member creating the gift list provides for restricted access.

Barnett teaches a multi-layered online calendaring and purchasing including restricting access of a member of the group to the gift list when the member creating the gift list provides for restricted access [0089].

The motivation to combine Robertson and Barnett would be to provide a higher level of flexibility in the way events can be imported and viewed [0015].

Claim 19. Robertson teaches said method further comprising the step of establishing a gift list for a non-member of the group at the request of a member of the group (Fig. 11 (76)).

Claim 20. Robertson teaches all the limitations of claim 20 except providing a calendar further comprises providing both a group calendar and a personalized calendar for each of the members of the group.

Barnett teaches a multi-layered online calendaring and purchasing including providing a calendar further comprises providing both a group calendar and a personalized calendar for each of the members of the group [0020].

The motivation to combine Robertson and Barnett would be to provide a higher level of flexibility in the way event's can be imported and viewed [0015].

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Robertson and Barnett, as applied to claim 3, in view of Kraemer (Us 2005/0022119).

Claim 12. The combination of Robertson and Barnett teaches all the limitations of claim 12 except means for changing the status of a particular gift on the gift list to one of "open", "claimed", and "reserved".

Kraemer teaches a system for creating a gift registry across multiple retailers wherein each listing displays the gift's purchase status (reserved or available) [0046].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robertson and Barnett to include means for changing the status of a particular gift on the gift list, as disclosed in Kraemer, because appropriately updating the gift's purchase status within the gift-recipient's account would inform future gift-givers and help to avoid duplicate purchases for the same gift (Kraemer,[0050]).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Robertson and Barnett, as applied to claim 14, in view of Kraemer.

Claim 16. The combination of Robertson and Barnett teaches all the limitations of claim 16 except publishing a status of a gift recorded on the gift list as purchased, unpurchased, and reserved for purchase by one of the members of the group.

Kraemer teaches a system for creating a gift registry across multiple retailers including publishing a status of a gift recorded on the gift list as purchased, unpurchased, and reserved for purchase by one of the members of the group (Kraemer, [0046]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Robertson and Barnett to include including publishing a status of a gift recorded on the gift list as purchased, unpurchased, and reserved for purchase by one of the members of the group, as disclosed in Kraemer, because appropriately updating the gift's purchase status within the gift-recipient's account would inform future gift-givers and help to avoid duplicate purchases for the same gift (Kraemer,[0050]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

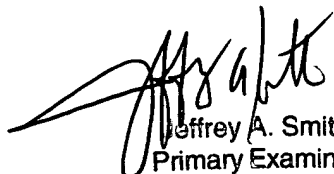
(i) US 2002/0128934 to Shaer discloses a method for an event organizer to receive gifts and services and interactive registry system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mila Airapetian whose telephone number is (571) 272-3202. The examiner can normally be reached on Monday-Friday 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on (571) 272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mila Airapetian
Patent Examiner
Art Unit 3625



Jeffrey A. Smith
Primary Examiner